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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,829	09/30/2003	Stephen Burns	021756-003300US	3773
51206 7590 09/30/2008 TOWNSEND AND TOWNSEND AND CREW LLP TWO EMBARCADERO CENTER 8TH FLOOR SAN FRANCISCO, CA 94111-3834				
EXAMINER				
BASEHOAR, ADAM L				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/676,829

Applicant(s)

BURNS ET AL.

Examiner

ADAM L. BASEHOAR

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: The Amendment filed 06/24/08.
2. Claim 1-4, 6-14, 16-19, 21-25, and 27-29 remain rejected under 35 U.S.C. 102(b) as being anticipated by Anuff et al (US-6,327,628 12/04/01).
3. Claims 5, 15, and 26 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Anuff et al (US-6,327,628 12/04/01).
4. Claim 20 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Anuff et al (US-6,327,628 12/04/01) in view of Maslov (US-6,538,673 03/25/03).
5. Claims 1-29 are pending in this case. Claims 1, 11, and 23, are independent claims.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claim 1-4, 6-14, 16-19, 21-25, and 27-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Anuff et al (US-6,327,628 12/04/01).

-In regard to substantially similar independent claims 1, 11, and 23, Anuff teaches a method for generating a page/graphical user interface, the method comprising:

displaying a first user interface (e.g. Figs. 2 & 10), the first user interface configured to receive access information associated with a data source declaratively specified by a user during an interactive session (column 2, lines 1-12; column 3, lines 44-67; column 4, lines 1-14: "user

can edit the content of the individual modules”; column 7, lines 5-24 & 59-63; column 8, lines 38-51; column 10, lines 52-67; column 13, lines 22-67: “portal server session...user’s front page is displayed via the browser application”; column 14, lines 15-26) with the first user interface to create software coding for generating portlets (i.e. modules)(column 4, lines 46-67: “software objects”; column 6, lines 34-46; column 7, lines 5-24; column 14, lines 1-9: “module view object contains display logic for its module...generates the HTML for its front-page view”; column 3, lines 58-67; column 10, lines 52-62; column 13, lines 53-67)(Fig. 4);

displaying a second user interface, the second user interface configured to receive layout information declaratively specified by the user during the interactive session, the layout information indicative of a visualization of information from one or more data sources generated by a portlet within a portal page (column 2, lines 3-12: “enable the user to revise the layout of the portal, change its color scheme”; column 4, lines 6-15: “user can determine which modules appear in each of the groups, as well as their order of appearance”; column 7, lines 65-67; column 8, lines 1-64; column 13, lines 53-67; column 14, lines 1-30; column 15, lines 6-45)(Fig. 5a & 5b);

determining a data source specification based on the access information (column 3, lines 61-67; column 4, lines 1-5; column 7, lines 5-25; column 10, lines 21-67);

determining a layout specification based on the layout information (column 2, lines 3-12; column 4, lines 6-14; column 7, lines 65-67; column 8, lines 1-64; column 13, lines 53-67; column 14, lines 1-30)(Fig. 5a & 5b);

generating software coding that represents an object that creates a portlet/GUI (i.e. module) based on the data source specification and the layout specification (column 7, lines 5-24; column 13, lines 53-65: “each module generates HTML...designated by the layout”; column 14, lines 3-9: “module view object contains display logic for its module...generates the HTML for its front-page view”), the portlet configured to create a visual representation within the portal page of data (column 13, lines 55-59)(Fig. 2) specified by the data source specification according to the visualization indicated by the layout specification (column 2, lines 1-12; column 3, lines 40-56; column 4, lines 6-15; column 7, lines 5-25; column 13, lines 55-67; column 14, lines 1-30)(Figs. 2 and 10-12);

retrieving data for the data source based on the data source specification and the access information (column 7, lines 5-25; column 10, lines 52-67); determining a layout for the data within the portlet based on the layout specification (column 2, lines 3-12; column 4, lines 6-14; column 7, lines 65-67; column 8, lines 1-64)(Fig. 5a & 5b); and generating the page using the portlet (column 2, lines 1-20; column 3, lines 44-65: “HTML web page”)(Fig. 2).

-In regard to dependent claims 2, 12, and 24, Anuff teaches wherein the data source specification comprises a data type for the data source (column 3, lines 61-67; column 4, lines 1-5; column 7, lines 5-25; column 10, lines 52-67).

-In regard to dependent claims 3 and 13, Anuff teaches wherein the data type comprises at least one of a spreadsheet data type, XML data type, SQL data type, web service data type,

and a web page data type (column 3, lines 61-67; column 4, lines 1-5; column 7, lines 5-25; column 10, lines 52-67).

-In regard to dependent claims 4, 14, and 25, Anuff teaches wherein the access information comprises a path to the data source (column 3, lines 58-67; column 4, lines 1-5; column 7, lines 5-25; column 10, lines 52-62; column 13, lines 53-67; column 14, lines 1-9).

-In regard to dependent claims 6, 16, and 27, Anuff teaches wherein the data source specification comprises a filtering specification that filters data retrieved from the data source (column 7, lines 20-22: "obtain filtered data from a network location").

-In regard to dependent claims 7, and 18, Anuff teaches wherein the layout specification comprises a tabular layout (column 4, lines 6-14; column 7, lines 65-67; column 8, lines 1-64)(Fig. 5a & 5b).

-In regard to dependent claims 8 and 19, Anuff teaches wherein determining the layout comprises formatting the retrieved data using the specified layout (column 2, lines 3-12; column 4, lines 6-14; column 7, lines 65-67; column 8, lines 1-64)(Fig. 5a & 5b).

-In regard to dependent claims 9, 21, and 28, Anuff teaches wherein the page comprises a web-based page (column 3, lines 44-47: "HTML web page")(Fig. 2).

-In regard to dependent claims 10, 23, and 29, Anuff teaches wherein the page comprises a portlet (column 3, lines 44-47: “modules containing the resources”)(Fig. 2).

-In regard to dependent claim 17, Anuff teaches wherein the layout interface comprises one or more layout options that enables the user to declaratively specify a layout type (column 2, lines 3-12; column 4, lines 6-14; column 7, lines 65-67; column 8, lines 1-64)(Fig. 5a & 5b).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 5, 15, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anuff et al (US-6,327,628 12/04/01).

-In regard to dependent claims 5, 15, and 26, Anuff teaches wherein the user can customize the portal to access a particular type of resource on a network (column 3, lines 58-67; column 4, lines 1-5). Anuff also teaches wherein the user selected accessed resource could be external web sites (column 7, lines 5-25; column 10, lines 52-67). Anuff does not specifically teach wherein the access the path to these resources comprises a URL. It would have been obvious to one of ordinary skill in the art at the time of the invention for the access of said web sites to have included utilizing the sites URL's, because it was notoriously well known at the time of the invention that URL's provided the benefit of accessing resources on the Internet.

10. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anuff et al (US-6,327,628 12/04/01) in view of Maslov (US-6,538,673 03/25/03).

-In regard to dependent claim 20, Anuff teaches wherein the user can customize the portal to access a particular type of resource on a network (column 3, lines 58-67; column 4, lines 1-5). Anuff also teaches wherein the user selected accessed resource could be external web sites (column 7, lines 5-25; column 10, lines 52-67). Anuff does not specifically teach wherein the data source interface does not include the access information for the data source before it was declaratively specified by the user. Maslov teaches wherein the data source interface includes the access information (i.e. URL) for the data source only after it was declaratively specified by the user (column 5, lines 43-45 & 63-67; column 8, lines 56-62: "includes URL address"). It would have been obvious to one of ordinary skill in the art at the time of the invention for the data source interface to have not included the access information before the user specified the data source, because Maslov teaches that it was notoriously well known in the art that before the interface could know the access information the user must have browsed to the data source first (column 5, lines 43-45 & 63-67; column 8, lines 56-62: "includes URL address"). Maslov taught that this provided the benefit of only showing/storing the access information of specific user designated data sources (column 5, lines 43-45 & 63-67; column 6, lines 15-19; column 8, lines 56-62: "includes URL address").

Response to Arguments

11. Applicant's arguments filed 06/24/08 have been fully considered but they are not persuasive.

In regard to the substantially similar independent claim 1, Applicant argues that Anuff fails to teach or disclose, "that the user can create the modules or its display logic declaratively during an interactive session as recited in claim 1." The Examiner respectfully disagrees with the Applicant. In general, the Anuff reference teaches both a front end user interface (i.e. "portal server page")(Fig. 2) as well as a backend "administration user interface." The backend administration interface having the ability to control the software coding at a higher level in the object-oriented portal server system. The software objects including "components, managers and services, modules, views, pages and page ordering, layouts, users, permissions, content parsers, data storage and tasks." However, in the rejection as detailed above, only the front end user interface is being relied upon to reject the claimed subject matter. The front end user interface teaches that via a plurality of user interfaces a user may customize access to a plurality of different content sources as well as to customize the layout and style of said data sources. Anuff teaches that a user sets these parameters during an interactive session with the displayed user front page and that based on said selections a new user front page was generated with a plurality of customized portlets. The code/rendering of said portlets being directly adjusted to meet the selections of the user. Overall, the Examiner notes that the "creating" and "generating" of software code to be broadly recited and that the extent to which each is accomplished is not clearly defined in the claims.

As previously stated, Anuff clearly teaches generating coding representing an object that creates a graphical user interface displaying retrieved data (column 7, lines 5-24; column 13, lines 53-65: “each module generates HTML...designated by the layout”; column 14, lines 3-9: “module view object contains display logic for its module...generates the HTML for its front-page view”)(Fig. 2). Here Anuff teaches generating the coding for the module view object “through any means desired” and specifically creates an object via the display logic that generates HTML for displaying some aspect of the module's data. Anuff also clearly teaches wherein the generated coding was based on user specified declarative specification of the data source (column 4, lines 12-15: “select which news sources are to be used for selection of headlines”; column 7, lines 5-25; column 10, lines 52-67; column 13, lines 53-65) and the user specified layout specification (column 2, lines 3-12; column 4, lines 6-14; column 7, lines 65-67; column 8, lines 1-64; column 13, lines 53-67: “each module generates HTML...designated by the layout”; column 14, lines 1-30)(Fig. 5a & 5b). Here Anuff teaches that the combination of the user specified content sources as well as the user specified layout arrangements were necessary to generate the coding for the module view object portlet for inclusion into the user defined front portal page.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Please note the additionally cited prior art references on the accompanying PTO-892 Form.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L. Baschoar whose telephone number is (571)-272-4121. The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Adam L Basehoar/
Primary Examiner, Art Unit 2178